

IPW

PATENT

43379

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	Art Unit: 1711
Kazushi TORII et al.	:	
	:	Examiner: A. Woodward
Serial No.: 10/053,659	:	
	:	
Filed: January 24, 2002	:	
	:	
For: WATER-ABSORBING AGENT AND	:	
PRODUCTION PROCESS THEREFOR, AND	:	
WATER-ABSORBENT STRUCTURE	:	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the May 24, 2004 Office Action, claims 37-81 are restricted to the Group I claims, including claims 37-47 and 74-77 directed to a two-component system comprising water-absorbent resin particles A and a cationic polymer compound B, Group II, including claims 48-50, 53-56, 59-63, 66-70, 73 and 78-81 directed to a one-component system comprising an acrylic acid-based polymer, and Group III, including claims 51, 52, 57, 58, 64, 65, 71 and 72 directed to a three-component system.

Applicants provisionally elect the Group II claims, including claims 48-50, 53-56, 59-63, 66-70, 73 and 78-81. This election is made with traverse.

Applicants submit that the restriction is improper and should be withdrawn. Each of the groups of claims are directed to a water-absorbing agent and to a method of producing the water-absorbing agent. Furthermore, the claims of elected Group II are directed to the water-absorbing

agent having specific properties. Thus, the claims of Group II are generic to the claims of Group I and Group III.

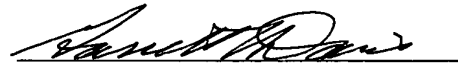
The Action states that the claims are directed to an intermediate and to a final product. The Action does not identify which of the claims are directed to an intermediate. Thus, it is not clear which claims the Action contends are directed to the intermediate and which are directed to the final product. The Action also contends that the "intermediate" product is useful as a coating composition or molding composition. Claims 37-73 are directed to water-absorbing agents, and claims 74-81 are directed to a water-absorbing structure. It is not clear how the claimed water-absorbing agents can be used as a coating or molding composition. Thus, Applicants request the restriction be withdrawn.

In paragraph 4 of the Office Action, the claims are restricted to a single disclosed species. Initially, it is noted that Applicants are entitled to claim the invention generically and are entitled to examination of a reasonable number of species. Thus, the Action has not set forth a basis for restricting the claims to a single specie. However, Applicants provisionally elect the species of the water-absorbent resin as a polymer obtained by a process including the step of polymerizing monomers including acrylic acid and/or its salt. Applicants also provisionally elect the specie of the cationic polymer compound to be polyvinylamines.

The Office Action further states that the Group III claims are directed to a three-component system. This position is incorrect. For example, claim 51, as well as the other claims of Group III, recite the water-absorbing agent comprising the water-absorbent resin particles A and the cationic polymer B. Thus, the claims of Group III are directed to a two-component system and not a three-component system as suggested in the Action. Therefore, the Group III claims should be properly combined with the Group I claims.

In view of the above, Applicants request the restriction be withdrawn. Prompt and favorable examination on the merits is requested.

Respectfully submitted,



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Dated: June 22, 2004